IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 996 (S/S) of 2006

Basant Ballabh Pande,
S/o late Sri Mathura Dutt Pande,
Police Fire Station,
Ramnagar,
Nainital. **……Petitioner**

V e r s u s

1. State of Uttaranchal through Principal Secretary, Home Affairs, Dehradun.
2. Additional Director General of Police, Fire and Emergency Service, Police Headquarter, Dehradun.
3. Senior Superintendent of Police, Nainital.

… …Respondents

Hon'ble M.M. Ghildiyal, J.

1. Heard Sri Udyog Shukla, learned counsel for the petitioner and Sri Paresh Tripathi, learned counsel for State of Uttaranchal on behalf of respondents.

2. By means of this writ petition, the petitioner has prayed for the following reliefs:

   (a) issue a writ, order or direction in the nature of Certiorari quashing the transfer order dated 15.07.2006 (Annexure No. 1 to this writ petition) passed by respondent no. 2.

   (b) Issue a writ, order or direction in the nature of Mandamus commanding the respondents to follow their own transfer policy dated 22.04.2006.

   (c) Issue any other relief, which this Hon'ble Court may deem fit and proper in the circumstance of the present case.

   (d) Cost of the petition be awarded in favour of the petitioner.

Petitioner is aggrieved with the order dated 15.07.2006 passed by Senior Superintendent of Police, Nainital by which petitioner has been transferred from Nainital to Uttarkashi. This order has been passed in pursuance to the order dated 01.07.2006 passed by Deputy Inspector General of Police, Fire and Emergency Services, Uttaranchal, Dehradun.

The submission of the learned counsel for the petitioner is that his transfer was made against the transfer policy dated 22.04.2006 issued by Deputy Inspector General of Police, Fire and Emergency Services, Uttaranchal, Dehradun.

Learned counsel for the petitioner has prayed that he may be permitted to make fresh representation and Deputy Inspector General of Police, fire and Emergency Services, Uttaranchal, Dehradun be directed to deicide the same within a particular period.

The prayer is innocuous. Accordingly, I direct the petitioner to make fresh representation, raising all his grievances, before Deputy Inspector General of Police, Fire and Emergency Services, Uttaranchal, Dehradun within a period of ten days from today and Deputy Inspector General of Police, Fire and Emergency Services, Uttaranchal, Dehradun shall take decision on the representation of the petitioner within a period of two weeks from the date of production of certified copy of this order along with representation.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 21, 2006
SKSharma